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MICHAEL R. McLEOD
WAYNE R. WATKINSON
MARC E. MILLER
RICHARD T. ROSSIER
CHARLES A. SPITULNIK
RICHARD PASCO
ALEX MENENDEZ
AMY B. JONES

ONE MASSACHUSETTS AVENUE, N.W.
SUITE 800
WASHINGTON, D.C. 20001-1401
(202) 842-2345
TELECOPY (202) 408-7763

ELIZABETH A. HAWS
KATHRYN A. KLEIMAN*
OF COUNSEL
(*Admitted in Virginia only)
ROBERT RANDALL GREEN
LAURA L. PHELPS
DAVID R. GRAVES
GOVERNMENT RELATIONS

August 18, 2005

Hon. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423

Re: Docket No. AB-980; *Santa Clara Valley Transportation Authority –
Abandonment Exemption – In Santa Clara County, California and
Alameda County, California*

Dear Sir:

On July 29, 2005 Santa Clara Valley Transportation Authority (“VTA”) filed its Notice of Intent to Seek Abandonment Exemption in the above-referenced matter. Pursuant to 49 C.F.R. § 1152.20, Santa Clara is required to file a Combined Environmental and Historic Report relating to the lines at issue. The lines at issue in this matter are the:

- 1) San Jose Industrial Lead from milepost 16.3 to milepost 17.49, a distance of 1.19 miles in Santa Clara County, California (the "Industrial Line"); and
- 2) the Milpitas Line Subdivision from mile post 2.61 near Clark Drive at Niles Junction to milepost 5.38 near Grimmer Boulevard Washington Boulevard, a distance of 2.77 miles in and near Fremont, Alameda County, California (the “Milpitas Line”).

The Union Pacific Railroad Company (“UP”) has recently received authority to discontinue its freight operations on these line segments. It submitted Combined Environmental and Historic Reports in the context of the proceedings in which it sought that authority. The required environmental and historic information is contained in the following:

Hon. Vernon A. Williams

August 18, 2005

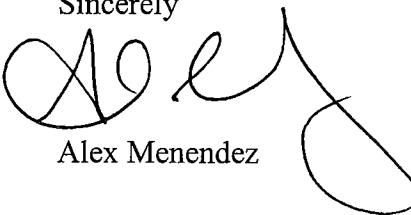
Page 2

- 1) For the Milpitas Line this information is contained in the Combined Environmental and Historic report in *Union Pacific Railroad Company – Abandonment Exemption – In Alameda County, California*, STB Docket No. AB-33 (Sub-No. 211X) filed on October 28, 2003; and
- 2) For the Industrial Line this information is contained in the Combined Environmental and Historic Report in *Union Pacific Railroad Company – Abandonment Exemption – In Santa Clara County, California*, STB Docket No. AB-33 (Sub-No. 221X).

On or about July 19, 2005, VTA, pursuant to the Board's regulations at 49 C.F.R. Part 1152, and the environmental regulations at 49 C.F.R. Part 1105.7, sent to the necessary parties a copy of these two Reports along with a request for assistance in identifying any potential effects of this abandonment action that may have arisen subsequent to the filing of each of them. Copies of the letters are attached hereto as Exhibit A. We are enclosing the responses we received to those requests. Copies of those letters are attached as Exhibit B.

Pursuant to 49 C.F.R. 1152.20(b)(1), VTA will file its Petition for Exemption on or before August 29, 2005.

Sincerely

A handwritten signature in black ink, appearing to read 'Alex Menendez', with a large, stylized loop at the end.

Alex Menendez

cc: All Parties of Record
Ms. Victoria Rutson, Section of Environmental Analysis
All persons on attached list

Hon. Vernon A. Williams
August 18, 2005
Page 3

Recipients of Environmental Impact Inquiries

Office of Planning and Research
Sacramento, CA

California Coastal Commission
San Francisco, CA

U.S. Environmental Protection Agency
San Francisco, CA

U.S. Fish & Wildlife Service
Portland, OR

Alameda County Supervisors
Oakland, CA

California Environmental Protection Agency
Sacramento, CA

California Department of Parks and Recreation
Sacramento, CA

Mr. Edward J. McKay, Chief
National Geodetic Survey
Silver Spring, MD

Santa Clara County Supervisors
San Jose, CA

U.S. Army Corps of Engineers
Sacramento, CA

Mr. William D. Shaddox
National Park Service
Washington, D.C.

U.S. Natural Resources Conservation Service
Davis, CA

Exhibit A

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GOVERNMENT RELATIONS

July 19, 2005

Office of Planning and Research
1400 Tenth Street
Sacramento, California 95814

Re: SANTA CLARA VALLEY TRANSPORTATION AUTHORITY --
ABANDONMENT EXEMPTION -- IN SANTA CLARA COUNTY AND
ALAMEDA COUNTY, CALIFORNIA (SAN JOSE INDUSTRIAL LEAD) (WP
MILPITAS LINE); STB FINANCE DOCKET NO. 34292

Dear Sir or Madam:

Santa Clara Valley Transportation Authority ("VTA") hereby gives notice that on or before August 18, 2005, it intends to file with the Surface Transportation Board ("STB") a Petition for Exemption with respect to the abandonment of its residual common carrier obligation on the: 1) San Jose Industrial Lead from milepost 16.3 to milepost 19.6, a distance of 3.30 miles in Santa Clara County, California (the "Industrial Line"); and 2) the Milpitas Subdivision from mile post 0.00 near Clark Drive at Niles Junction to milepost 5.38 near Washington Boulevard, a distance of 5.38 miles in and near Fremont, Alameda County, California (the "Milpitas Line"). A description of the Tracks and Facilities, and a map showing their location are attached hereto as Exhibit 1.

By way of background, on September 22, 2003 the Union Pacific Railroad Company ("UP") filed a Combined Environmental and Historic Report relating to the Milpitas Line¹ ("Milpitas Report") in the context of an abandonment exemption it pursued which is attached as Exhibit 2. On July 13, 2004 UP filed a Combined Environmental and Historic Report in the context of an abandonment exemption it pursued relating to the Industrial Line² ("Industrial Report") which is attached as Exhibit 3. At the time each respective report was filed you were served with a copy. VTA is now seeking an abandonment exemption *vis a vis* the Milpitas Line and Industrial Line, in part, to remove all of its residual common carrier obligations and to foster sound economic conditions in the transportation industry by avoiding the need to retain and operate a rail line that will not be used by any shipper.

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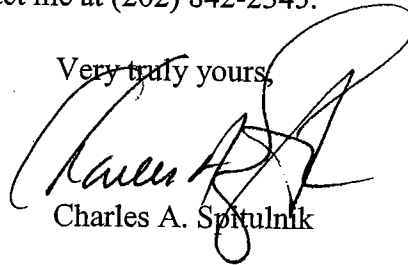
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Letter Office of Planning and Research
July 19, 2005
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Thank you for your assistance. Please forward your responses to me at McLeod, Watkinson & Miller, One Massachusetts Avenue, N.W., Suite 800, Washington, D.C. 20001. If you need further assistance, please contact me at (202) 842-2345.

Very truly yours,



Charles A. Spitulnik

Attachments

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July 19, 2005

California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, California 94105-2219

**Re: SANTA CLARA VALLEY TRANSPORTATION AUTHORITY --
ABANDONMENT EXEMPTION -- IN SANTA CLARA COUNTY AND
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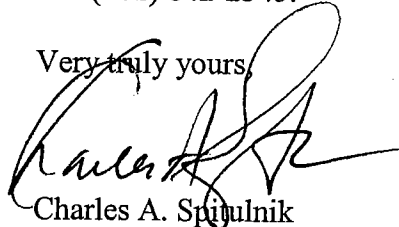
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Letter to California Coastal Commission
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July 19, 2005

U.S. Environmental Protection Agency
Region 9
75 Hawthorne Street
San Francisco, California 94105

Re: SANTA CLARA VALLEY TRANSPORTATION AUTHORITY --
ABANDONMENT EXEMPTION -- IN SANTA CLARA COUNTY AND
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MILPITAS LINE); STB FINANCE DOCKET NO. 34292

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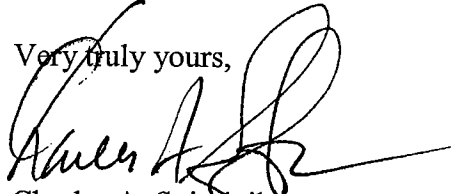
Letter to U.S. Environmental Protection Agency
July 19, 2005
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July 19, 2005

U.S. Fish & Wildlife Service
Region 1
911 NE 11th Avenue
Portland, Oregon 97232-4181

**Re: SANTA CLARA VALLEY TRANSPORTATION AUTHORITY --
ABANDONMENT EXEMPTION -- IN SANTA CLARA COUNTY AND
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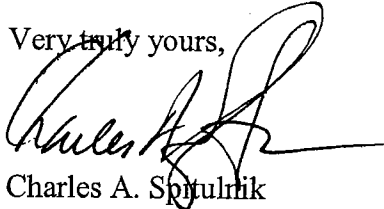
Letter to U.S. Fish & Wildlife Service
July 18, 2005
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July 19, 2005

Alameda County Supervisors
County Courthouse
1221 Oak Street, Suite 536
Oakland, California 94612

Re: SANTA CLARA VALLEY TRANSPORTATION AUTHORITY --
ABANDONMENT EXEMPTION -- IN SANTA CLARA COUNTY AND
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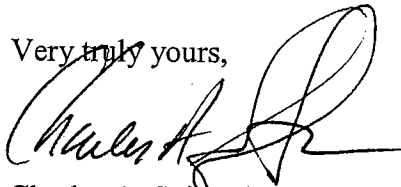
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July 19, 2005

California Environmental Protection Agency
1001 I Street
Sacramento, California 95814

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Letter to California Environmental Protection Agency

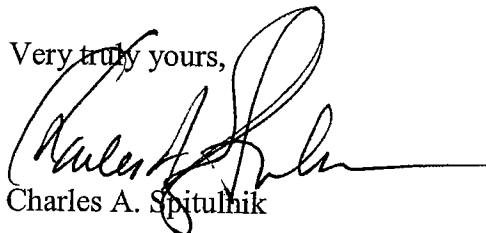
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Very truly yours,

A handwritten signature in black ink, appearing to read "Charles A. Spitulnik", written over a horizontal line.

Charles A. Spitulnik

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OF COUNSEL
(*Admitted in Virginia only)

ROBERT RANDALL GREEN
LAURA L. PHELPS
DAVID R. GRAVES
GOVERNMENT RELATIONS

July 19, 2005

California Department of Parks and Recreation
Office of Historic Preservation
P. O. Box 942896
Sacramento, California 94296-0001

Re: SANTA CLARA VALLEY TRANSPORTATION AUTHORITY --
ABANDONMENT EXEMPTION -- IN SANTA CLARA COUNTY AND
ALAMEDA COUNTY, CALIFORNIA (SAN JOSE INDUSTRIAL LEAD) (WP
MILPITAS LINE); STB FINANCE DOCKET NO. 34292

Dear Sir or Madam:

Santa Clara Valley Transportation Authority ("VTA") hereby gives notice that on or before August 18, 2005, it intends to file with the Surface Transportation Board ("STB") a Petition for Exemption with respect to the abandonment of its residual common carrier obligation on the: 1) San Jose Industrial Lead from milepost 16.3 to milepost 19.6, a distance of 3.30 miles in Santa Clara County, California (the "Industrial Line"); and 2) the Milpitas Subdivision from mile post 0.00 near Clark Drive at Niles Junction to milepost 5.38 near Washington Boulevard, a distance of 5.38 miles in and near Fremont, Alameda County, California (the "Milpitas Line"). A description of the Tracks and Facilities, and a map showing their location are attached hereto as Exhibit 1.

By way of background, on September 22, 2003 the Union Pacific Railroad Company ("UP") filed a Combined Environmental and Historic Report relating to the Milpitas Line¹ ("Milpitas Report") in the context of an abandonment exemption it pursued which is attached as Exhibit 2. On July 13, 2004 UP filed a Combined Environmental and Historic Report in the context of an abandonment exemption it pursued relating to the Industrial Line² ("Industrial Report") which is attached as Exhibit 3. At the time each respective report was filed you were served with a copy. VTA is now seeking an abandonment exemption *vis a vis* the Milpitas Line and Industrial Line, in part, to remove all of its residual common carrier obligations and to foster

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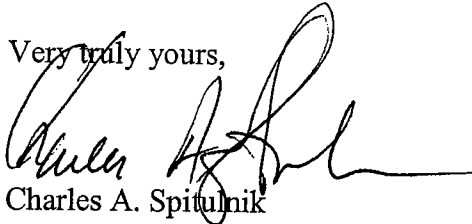
Letter to California Department of Parks and Recreation
July 19, 2005
Page 2

sound economic conditions in the transportation industry by avoiding the need to retain and operate a rail line that will not be used by any shipper.

Pursuant to the Board's regulations at 49 C.F.R. Part 1152, and the environmental regulations at 49 C.F.R. Part 1105.7, this is to request your assistance in identifying any potential effects of this abandonment action that may have arisen subsequent to the UP filing of the Milpitas Report and Industrial Report. Specifically, please state whether the proposed abandonment action is consistent with existing land use plans and describe any inconsistencies. If any adverse environmental impacts are identified, please describe any actions that are proposed in order to mitigate the environmental impacts. Please provide us with a written response that can be included in an environmental report that will be sent to the Board.

Thank you for your assistance. Please forward your responses to me at McLeod, Watkinson & Miller, One Massachusetts Avenue, N.W., Suite 800, Washington, D.C. 20001. If you need further assistance, please contact me at (202) 842-2345.

Very truly yours,



Charles A. Spitulnik

Attachments

LAW OFFICE

MCLEOD, WATKINSON & MILLER

MICHAEL R. MCLEOD
WAYNE R. WATKINSON
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WASHINGTON, DC 20001-1401
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GOVERNMENT RELATIONS

July 19, 2005

Mr. Edward J. McKay, Chief
Spatial Reference System Division
National Geodetic Survey
NOAA N/NGS2
1315 East West Highway
Silver Spring, Maryland 20910-3282

Re: SANTA CLARA VALLEY TRANSPORTATION AUTHORITY --
ABANDONMENT EXEMPTION -- IN SANTA CLARA COUNTY AND
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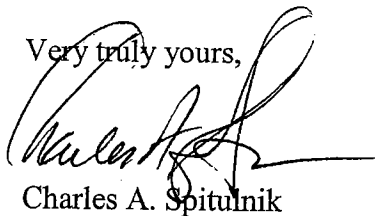
Letter to Mr. Edward J. McKay, Chief
July 19, 2005
Page 2

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Very truly yours,

A handwritten signature in black ink, appearing to read "Charles A. Spitulnik", with a long horizontal flourish extending to the right.

Charles A. Spitulnik

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July 19, 2005

Santa Clara County Supervisors
70 West Hedding, 10th Floor
County Courthouse
San Jose, California 95110

Re: SANTA CLARA VALLEY TRANSPORTATION AUTHORITY --
ABANDONMENT EXEMPTION -- IN SANTA CLARA COUNTY AND
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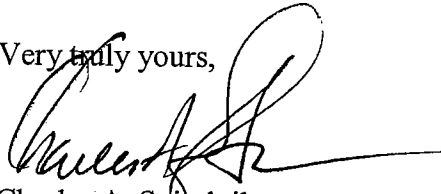
Letter Santa Clara County Supervisors
July 19, 2005
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GOVERNMENT RELATIONS

July 19, 2005

U.S. Army Corps of Engineers
U.S. Army Engineer District, Sacramento
1325 J Street
Sacramento, California 95814

Re: SANTA CLARA VALLEY TRANSPORTATION AUTHORITY --
ABANDONMENT EXEMPTION -- IN SANTA CLARA COUNTY AND
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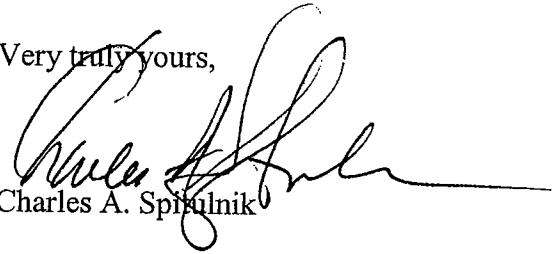
Letter U.S. Army Corps of Engineers
July 19, 2005
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Charles A. Spivulnik

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ND: 4827-4942-7200, Ver 1

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GOVERNMENT RELATIONS

July 19, 2005

Mr. William D. Shaddox
Chief, Land Resources Division
National Park Service
Department of the Interior
1849 C Street, N.W., #MS2540
Washington, D.C. 20240

Re: SANTA CLARA VALLEY TRANSPORTATION AUTHORITY --
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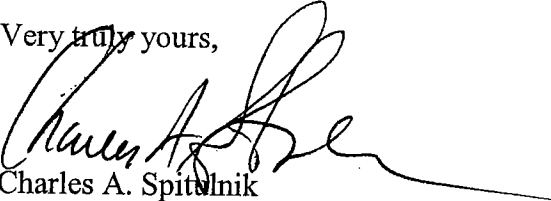
Mr. William D. Shaddox
July 19, 2005
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GOVERNMENT RELATIONS

July 19, 2005

U.S. Natural Resources Conservation Service
State Conservationist
430 G Street, #4164
Davis, California 95616-4164

Re: SANTA CLARA VALLEY TRANSPORTATION AUTHORITY --
ABANDONMENT EXEMPTION -- IN SANTA CLARA COUNTY AND
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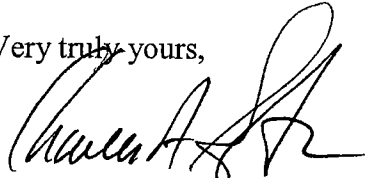
Letter U.S. Natural Resources Conservation Service
July 19, 2005
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Very truly yours,

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Charles A. Spitulnik

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LAURA L. PHELPS
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GOVERNMENT RELATIONS

July 27, 2005

Office of Planning and Research
1400 Tenth Street
Sacramento, California 95814

Re: SANTA CLARA VALLEY TRANSPORTATION AUTHORITY –
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MILPITAS LINE); STB DOCKET NO. AB-980

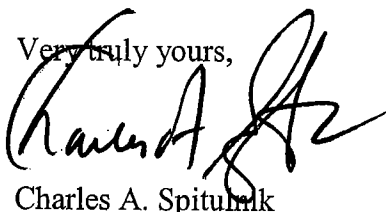
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Thank you for your assistance.

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July 27, 2005

California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, California 94105-2219

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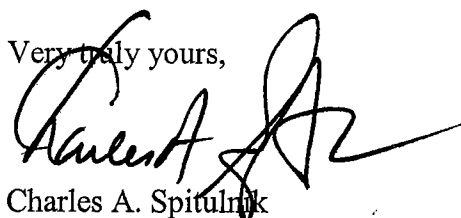
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ONE MASSACHUSETTS AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20001-1401
(202) 842-2345
TELECOPY (202) 408-7763

KATHRYN A. KLEIMAN**
OF COUNSEL
(**Admitted in Virginia only)

ROBERT RANDALL GREEN
LAURA L. PHELPS
DAVID R. GRAVES
GOVERNMENT RELATIONS

July 27, 2005

U.S. Environmental Protection Agency
Region 9
75 Hawthorne Street
San Francisco, California 94105

Re: SANTA CLARA VALLEY TRANSPORTATION AUTHORITY –
ABANDONMENT EXEMPTION – IN SANTA CLARA COUNTY AND
ALAMEDA COUNTY, CALIFORNIA (SAN JOSE INDUSTRIAL LEAD) (WP
MILPITAS LINE); STB DOCKET NO. AB-980

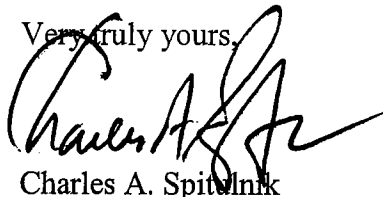
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Thank you for your assistance.

We apologize for any inconvenience that this erroneous docket number reference may have caused. If you need further assistance, please contact me at (202) 842-2345.

Very truly yours,



Charles A. Spitulnik

LAW OFFICE

MCLEOD, WATKINSON & MILLER*

MICHAEL R. MCLEOD
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GOVERNMENT RELATIONS

July 27, 2005

U.S. Fish & Wildlife Service
Region 1
911 NE 11th Avenue
Portland, Oregon 97232-4181

Re: SANTA CLARA VALLEY TRANSPORTATION AUTHORITY –
ABANDONMENT EXEMPTION – IN SANTA CLARA COUNTY AND
ALAMEDA COUNTY, CALIFORNIA (SAN JOSE INDUSTRIAL LEAD) (WP
MILPITAS LINE); STB DOCKET NO. AB-980

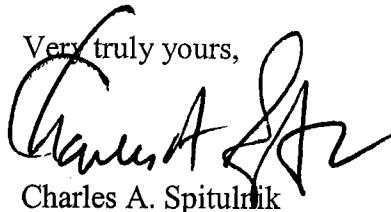
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GOVERNMENT RELATIONS

July 27, 2005

Alameda County Supervisors
County Courthouse
1221 Oak Street, Suite 536
Oakland, California 94612

Re: SANTA CLARA VALLEY TRANSPORTATION AUTHORITY –
ABANDONMENT EXEMPTION – IN SANTA CLARA COUNTY AND
ALAMEDA COUNTY, CALIFORNIA (SAN JOSE INDUSTRIAL LEAD) (WP
MILPITAS LINE); STB DOCKET NO. AB-980

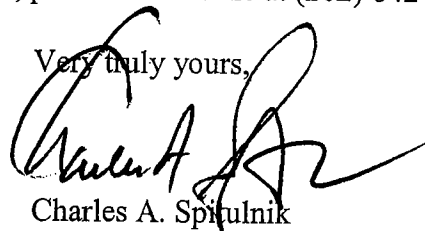
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GOVERNMENT RELATIONS

July 27, 2005

California Environmental Protection Agency
1001 I Street
Sacramento, California 95184

Re: SANTA CLARA VALLEY TRANSPORTATION AUTHORITY --
ABANDONMENT EXEMPTION -- IN SANTA CLARA COUNTY AND
ALAMEDA COUNTY, CALIFORNIA (SAN JOSE INDUSTRIAL LEAD) (WP
MILPITAS LINE); STB DOCKET NO. AB-980

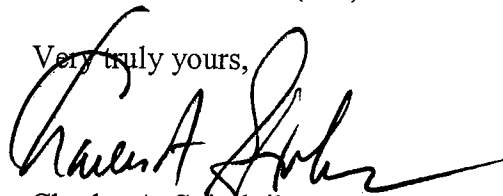
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GOVERNMENT RELATIONS

July 27, 2005

California Department of Parks and Recreation
Office of Historic Preservation
P. O. Box 942896
Sacramento, California 94296-0001

Re: SANTA CLARA VALLEY TRANSPORTATION AUTHORITY –
ABANDONMENT EXEMPTION – IN SANTA CLARA COUNTY AND
ALAMEDA COUNTY, CALIFORNIA (SAN JOSE INDUSTRIAL LEAD) (WP
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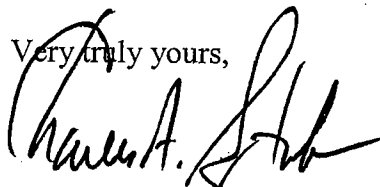
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GOVERNMENT RELATIONS

July 27, 2005

Mr. Edward J. McKay, Chief
Spatial Reference System Division
National Geodetic Survey
NOAA N/NGS2
1315 East West Highway
Silver Spring, Maryland 20910-3282

Re: SANTA CLARA VALLEY TRANSPORTATION AUTHORITY –
ABANDONMENT EXEMPTION – IN SANTA CLARA COUNTY AND ALAMEDA
COUNTY, CALIFORNIA (SAN JOSE INDUSTRIAL LEAD) (WP MILPITAS LINE);
STB DOCKET NO. AB-980

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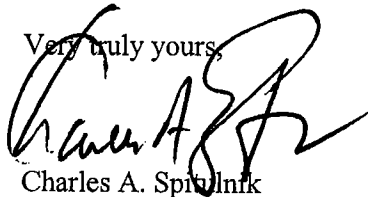
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GOVERNMENT RELATIONS

July 27, 2005

Santa Clara County Supervisors
70 West Hedding, 10th Floor
County Courthouse
San Jose, California 95110

Re: SANTA CLARA VALLEY TRANSPORTATION AUTHORITY –
ABANDONMENT EXEMPTION – IN SANTA CLARA COUNTY AND
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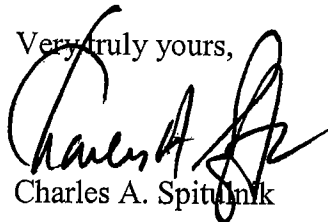
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GOVERNMENT RELATIONS

July 27, 2005

U.S. Army Corps of Engineers
U.S. Army Engineer District, Sacramento
1325 J Street
Sacramento, California 95814

Re: SANTA CLARA VALLEY TRANSPORTATION AUTHORITY –
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MILPITAS LINE); STB DOCKET NO. AB-980

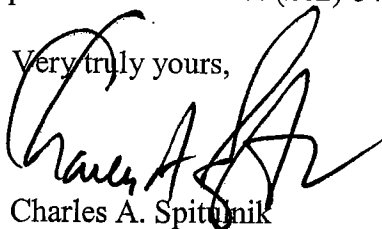
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GOVERNMENT RELATIONS

July 27, 2005

Mr. William D. Shaddox
Chief, Land Resources Division
National Park Service
Department of the Interior
1849 C Street, N.W., #MS2540
Washington, D.C. 20240

Re: SANTA CLARA VALLEY TRANSPORTATION AUTHORITY –
ABANDONMENT EXEMPTION – IN SANTA CLARA COUNTY AND ALAMEDA
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STB DOCKET NO. AB-980

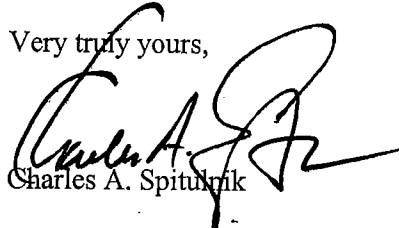
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July 27, 2005

U.S. Natural Resources Conservation Service
State Conservationist
430 G Street, #4164
Davis, California 95616-4164

Re: SANTA CLARA VALLEY TRANSPORTATION AUTHORITY –
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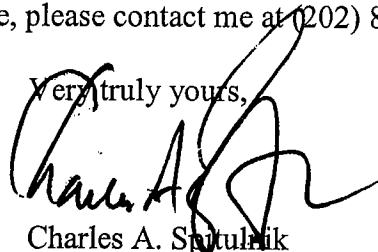
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Charles A. Spitulnik

Exhibit B



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
National Geodetic Survey
Silver Spring, Maryland 20910-3282

AUG 4 2005

Ms. Victoria J. Rutson
Chief, Section of Environmental Analysis
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

Dear Ms. Rutson:

The area in question on the map with the Environmental and Historic Reports for the proposed rail line abandonment of Santa Clara Valley Transportation Authority for 3.3 miles of rail line on the San Jose Industrial Lead from Milepost 16.3 to Milepost 19.6 in Santa Clara County, California, STB Docket No. AB-980, has been reviewed within the areas of National Geodetic Survey (NGS) responsibility and expertise and in terms of the impact of the proposed actions on NGS activities and projects.

As a result of this review, 1 geodetic station marker have been identified that may be affected by the proposed abandonment; a listing of this marker is enclosed. Additional information about this station marker can be obtained via the Internet www.ngs.noaa.gov. If there are any planned activities which will disturb or destroy this marker, NGS requires not less than 90 days notification in advance of such activities in order to plan for it's relocation.

If further information is needed for this geodetic marker, contact Mr. Frank C. Maida. His address is NOAA, N/NGS2, Room 8736, 1315 East-West Highway, Silver Spring, Maryland 20910-3282, telephone: 301-713-3198, fax: 301-713-4324, e-mail: Frank.Maida@noaa.gov.

Sincerely,

Richard A. Snay
Chief, Spatial Reference System Division

Enclosures

cc: N/NGS1 - G. Mitchell
N/NGS1x1 - M. Ikehara
Charles A. Spitalnik, McLeod, Watkinson & Miller

AUG 08 2005



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UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
National Geodetic Survey
Silver Spring, Maryland 20910-3282

AUG 4 2005

Ms. Victoria J. Rutson
Chief, Section of Environmental Analysis
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

Dear Ms. Rutson:

The area in question on the map with the Environmental and Historic Reports for the proposed rail line abandonment of Santa Clara Valley Transportation Authority, of the Milpitas Subdivision, for 5.38 miles of rail line between M.P. 0.0 at Niles Junction to M.P. 5.38 in Warm Springs, Alameda County, California, STB Docket No. AB-980, has been reviewed within the areas of National Geodetic Survey (NGS) responsibility and expertise and in terms of the impact of the proposed actions on NGS activities and projects.

As a result of this review, 19 geodetic station markers have been identified that may be affected by the proposed abandonment; a listing of these markers is enclosed. Additional information about these station markers can be obtained via the Internet www.ngs.noaa.gov. If there are any planned activities which will disturb or destroy these markers, NGS requires not less than 90 days notification in advance of such activities in order to plan for their relocation.

If further information is needed for these geodetic markers, contact Mr. Frank C. Maida. His address is NOAA, N/NGS2, Room 8736, 1315 East-West Highway, Silver Spring, Maryland 20910-3282, telephone: 301-713-3198, fax: 301-713-4324, e-mail: Frank.Maida@noaa.gov.

Sincerely,

Richard A. Snay
Chief, Spatial Reference System Division

Enclosures

cc: N/NGS1 - G. Mitchell
N/NGS1x1 - M. Ikehara
Charles A. Spitulnik, McLeod, Watkinson & Miller

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